ASK WHAT IS RIGHT

That is All the Toll Gate Company Folks Insist

IS THEIR POSITION JUST NOW

Mr. Anderson States His Case in Regard to the Road's Value -- Carpenter Cites the Statute of 1871.

William H. Anderson, secretary of the South Division street gravel toud company was intervied yesterday atternoon by a reporter for THE HUBALD in regard to the city's beginning condemnatory proceedings sgainst the company. He said: "Of course the city can do that if it sees fit, though I hardly think it necessary. The stocknoiders of the company will meet January 9, and it is quite probable that the matter will be chaussed. The company has acted entirely fair with the city. It has made no propositions to the city. On the contrary the city has made all the overtures. The company offered to step aside and allow the city to do the same. Then each could call in a man, the two to examine the road and determine upon a price. If they could not agree a third could be called upon and whatever a majority of them decided would be final. It has been stated in the council that \$23,000 was the price we asked. That statement is erroneous. The street car company came to us several ames and asked us to name of figure. We did so, and it was never taken up. The last time we were approached we figured up what money taken up. The last time we were approached we figured up what money had been invested, what the receipts were up to date, and on this basis figured what the read would earn in the next forty years. That was what it was worth to us. The men who have their money invested in the road are citizens of Grand hapids, and all they want is what is right. In regard to that section of Howell's Annotated statutes, which requires the registering of a survey with the register of deeds, I can safely say that it does not apply to our road. That is in the act of 1848, while we are organized under an act of 1851. It has been said that our gate on South Division street was moved inside the city himts one day after the law creating the city limits went into effect. That is wrong. Our gate had been there five or six years, and we simply built a house for the collector to live in. We have rights, and are protected by the recent decision of the supreme Carpenter Quotes the Law.

Alderman Carpenter, who is much interested in the removal of the toll gate, thinks that section 3825 of the laws of 1871 is applicable to the case in question. It is as follows: "The superquestion. It is as follows: "The super-visor of any township, the mayor of any incorporated city, and the presi-dent of any incorporated village, in which a toil gate may be located on any such road, whenever he shall be of the opinion that such gate is unjust to the public interest, by reason of the prox-imity of diverging roads, or for other reasons, may, on at least fifteen days written notice to the president or secre-lary of said company, apply to the Circuit court of the county the Circuit court of the county n which such gate is located, for an or-fer to alter or change the location of said gate; the court on such applica-tion, and on hearing the respective parties, and on viewing the premises, if the said court shall deem such view necessary, shall make such order in the matter as to the said court may seem just and proper. Such order shall be observed by the respective parties, and may be enforced by attachment or otherwise, as said court shall direct; and the decision of said court shall be final in the matter, and said court may direct the payment of costs in the premises as shall by deemed just and

Alderman Carpenter thinks the city should order the gate removed in the manner provided.

THAT HYDRAULIC JUDGMENT. Mr. More Explains How The Case Came

A dispatch was received by THE HERaggregating \$119,941.49 had been given in the superior court of New York against the Hydraulic company in favor of Coffin & Swanton, bankers of New York City and Woodbury & Moulton, bankers at Cedar Rapids, Mich. It was further stated that the suits were begun on promissory notes given in a consolidation scheme of two water works com-

auton scheme of two water works com-panies in this city.

In regard to the above John More, secretary of the Hydraslic company, is quoted as saying that Coffin & Stanton were the head of a pool which entered into an agreement with the Hydraulic company to do certain things, one of which was to advance money and put the company in shape so that its bonds could be floated. It was in consideration of the undertaking on the part of the pool that the notes were given. Bonds collateral to the notes were also

The Hydraulic company claim to have a defense to the action on the notes on the ground that the members of the pool neverfulfilled the agreepaper was given. Suit will be brought in New York to restrain those holding judgments from enforcing their rights under the bonds until the pool has put up the money it agreed to. It is claimed that Coffin a Stanton have seen endeavoring to wreck the Hydraunc company on account of their cumity toward President Crowe, and that the New York suit, as well as the one now pending in this city, is a move to carry out their purpose.

MAD EVIDENTLY BEEN SEEN.

Three Boys Undergo a Great Change of

Joseph Mickiewitz was on trial in police court vesterday for selling liquor of minors. Max Grover, a 13-year old bey, who was arrested in a state of interiention about two weeks ago. When to riention about two weeks ago. When he sohered up he made affidavit to the effect that the respondent had sold him the liquer. On the stand yesterday he denied everything he had said in the affidavit and swore that he had never seen Miskiewitz, had not drank in his saloen and was never in there. Two other beys seemed to forget the stories they had told. The case was adjourned until January 12.

ARBESTED THE OFFICERS,

Manager Surroughs Segine a Sate for Surprise was created yesterday after-noon by the arrest of Superintendent of Police Eastman, Captain Johnson and Lieutenant Hurley by Sheriff Moduces on a capies issued at the instance of Summer Burroughs, who wants

\$25,000 damages. The complement declares that he is the acting manager of Redmond's opers house for Brady & Garwood, the lesses. He sets) forth at length all the jurisdictorial facts in the case which are well known to the

He represents that the officers went upon the stage of his theater and ar-rested the manager, and thereby com-mitted an assault. He was arrested against his will and a pair of hand cutts against his will and a pair of hand cuffs wars placed on his wrists in view of the audience. He was then, according to the affidavis, pushed, dragged and pulled through the honse, and out the front door of the theater. Burroughs claims he was greatly scandalized, injured and prejudiced.

The capias was served about 4:30. Frank Moore and Frank Loettgert signed the bail bond in the sum of \$5000, after which the officers were receased.

SWEENEY ON THE BACK,

His Trial for Felonious Assault in Progress in Cours.

court. Sweeney is charged with com-

case of the people against Sweeney is on trial in the superior

mitting a felonious assault upon the person of little Zwantje Deler, and the details of the crime were published in the Himato at the time it was com-mitted. The subsequent examination in police court was also published. As in all such cases the details are revolting. The little girl is the principal winness, and her story is straightforward and her identification of her alleged assailant is positive. The girl's mother was put on the stand to testify as to the child's condition when she arrived home. Henry Williams, who claims to have seen her in company with sweeney on the afternoon ween the crime was committed, was also put on the stand. The defense has several witnesses by which an alibi is expected to be proved.

RATS IN HIS GARRET,

A Man Who Imagines He Is Doing a

Yesterday afternoon a wild-eyed man made the rounds of the banks with a flat-iron in his hand. Approaching the cashier, he would ask if the concern had any money it wanted washed and ironed. Having in mind the recent experience of Russell Sage, the New York capitalist, each one of the money-changers accosted made a rapid rush for the telephone. Upon receiving no attention, the individual would walk out, complaining that business was dull. He was finally taken into custody. At the jail he said his hame was Patrick Ferris, bartender in Mrs. Advan's saloon. He said that the night before he had \$13,000, which somebody robbed him of, but that he had recovered \$7,500. and was just washing and iron-ing it when the police arrested him. He imagined he had won \$20,000, "playing the bank." He is suffering with an attack of delirium tremens.

TRIED FOR FORGERY. Minor Ingalis Faces the Pelies Court on

That Charge. Further testimony in the examination of Minor Ingalls, on the charge of forgery and attempting to pass forged checks, was taken in police court yesterday morning. Teller C. F. Pike, of the Old National bank, testified as an pert witness that it was his belief that all of the forged checks was written by the same hand. Judge Haggerty an-nounced that he had heard enough testimony to warrant him in holding the respondent for trial in the superior court, whereupon Prosecutor Malcomi rested the case for the people. It was adjourned until January 7 to give the stenographer an opportunity to write out the testimony and have it read.

His Motion Denled.

The motion of Frederik Neilson, stockholder in the Middlesex Brick and Tile company, for an injunction re-straining the sale of the property to Charles Mears et al., and for the appointment of a receiver for the com-pany, was denied yesterday by Judge Severens, of the United States court.

Charged With Lacceny.

Art Daily was arrested yesterday by deputy sheriff for the larceny of two A dispatch was received by THE HER-coats from Hennessy & Water's salcon. ALD yesterday announcing that verdicts He went to Rockford and was contemplating a trip north. Before de-parting he returned to Grand Rapids for a visit and was caught. He syshe will plead guilty.

Caught in Wisconsin,

Barney Spencer, who sold a load of iye for Earl Hoag of Grand Rapids township, to Van Driel Bros., and skipped with the cash, was brought back from Grand Rapids, Wis., yester-day by Deputy Sheriff Meehan, and is now in jail.

Entitled to Recover.

Judge Severens announced orally esterday that in his opinion the Woonsocket Institution for Savings was a bonafide holder of the refunding bonds issued by the city of Cadillac in aid of the railroad, and that the institution was entitled to recover the amount.

Lack of Evidence.

Exaphies Brant of Berrien county was under indictment in the United States court for counterfeiting silver coin and having the same in his posses-sion. Yesterday it was thought the evidence against him was not sufficient to convict and he was discharged.

Granted a New Trial,

Robert H. Barton of this city, who does a little business as a pension agent, was convicted in the United States court some time ago for receiving an unlawful fee. He thought his conviction was unjust and applied for a new mal. His application was granted yes-

William R. Fox has taken an appeal from the United States Circuit court here to the court of appeals at Cincinnati in his case against Harford J. Per-kins et al. for alleged infringement of a patent of a miter machine.

girls, pleaded guilty to the charge of felonious assault in the superior cour-yesterday. He will be sentenced at 10 o'clock this morning.

Applied for Divorce. Elmer T. Bennett has begun divorce proceedings in the circuit court against us wife, Jennie M. Bennett. He alleges extreme cruelty.

Sold Liquor Hiegally, A warrant was issued vesterday for the arrest of Druggist Frank Curties, who, it is alleged, has sold liquor for other than medicinal purposes.

John McNaughton, of Sault St Marie, was appointed deputy United States marshal yesterday by Marshal

Untke. Miner Court Victims,

In police court yesterday E. F. Dong the charge of larceny from a dwelling in the daytime. Several witnesses were sworn for the defense after which the case was adjourned until Janu

Joseph Cooper of South Grand Rapids was on avected before Justice Hydora yesterday of being dronk and disorder-ly. He was sentenced to twenty days imprisonment in the county jail. Zeitz Zenideina paul \$5 fine in police

court yesterday for cruelty to a horse owned by Shaver, the Kent street hy-eryman.

LAW AND LAWYERS. United States Court,

HON. HENRY P. SEVERENS, JUDGE.

Frederik Neilson vs. Charles Mears et. al., order denying complainant's motion for an injunction and for the appointment of a receiver of the Middlesex Brick and Tile company.

The United States vs. Exaphies Brant, indictment for counterfeiting silver coin; order of noile prose entered.

The United States vs. Robert H. Barton, indictment for receiving unlawful penson fee: motion for new lawful pension fee; motion for new trial granted.

> Circuit Court-Part I JUDGE GROVE.

William C. Dennison ve. Loomis K.

Bisoop, trover.

A. P. Cook company, limited, vs.
Edwin M. Hovey and George Osterly
ejectment; motion to remand cause to
lingham county denied without costs. A. P. Cook company, limited, vs. Ed-win M. Hovey, Achell Mengnac and Mary Mengnac; motion to remove cause to Ingham county denied.

> Ctrouit Court-Part II, JUDGE ADSIT.

John H. Colleton vs. Clarendon S Walker, assumpsit; argued and sub-

Edgar A. Maher vs. Charles Walthers, ejectment; on trial.

Superior Court, JUDGE BURLINGAME. The People vs. James Sweeney, felon-

ous assault; on trial.

The People vs. James Bartholomew, feionous assault; pleaded guilty; sentence deferred until tomorrow at 10

A handome complexion is one of the greatest charms a woman can possers. Pozzoni' Complexion Powder gives it.

Master Masons.

A special communication of Valley City Lodge No. 86 F. & A. M. will be held at Masonic hall Thursday, January 7, at 1 o'clock p. m. sharp, to attend the funeral of brother Jacob Barth. All M. M. in good standing are invited to be present. By order JOHN ROWSON,

GEO. W. LEBOER, Sec'y.

Order your wood of E. A. Hamilton. Every sack of LILY WHITE FLOUR has a picture of our mill. None genuine without it. VALLEY CITY MILLING Co.

Apples 60 and 750 per bushel, Killean's Grocery.

Piso's Remedy for Catarrh is the best medicine for that disease, I have ever used.—L. C. Johnston, Iola, Texas. June 24th, 1891.

The remarkable growths which till within two years, was brought about principally by one person telling an other, is a monument to Garfield Tea's merits.

Piles! Piles! Itching Piles,

Symproms-Moisture; intense itching and stinging: most at night; worse by scratching. If allowed to continue tumors form, which often bleed and ulcerate, becoming very sore. Swayne's Cintraguer stops the itching and bleed-ing, heals ulceration, and in most cases removes the tumors. At druggists, or by mail, for 50 cents. Dr. Swayne & Son, Philadelphia.

For Over Fifty Years

Mrs. Winslow's Scothing Staur has been used for children teething. It soothes the child, softers the gums allays all pain, cures wind colle, and is the best remedy for diarrhoes. Twenty-five cents a bottle.

The best salve in the world for cuts,

bruises, sores, ulcers, sait rheum, fever sores, tetter, chapped hands, chilblains, corns and all skin eruptions, and post tively cures piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Peck Bros., druggists, ocrner Monroe and Divsion-sts.

Peckham's Croup Remedy cures Thooping cough. Important Changes of Time on the Mich

igan Central. Taking effect Sunday, Nov. 15th

train heretofore leaving Grand Rapids at 6:30 a. m. will leave at 7 a. m., with an elegant parlor car attached, arriving at Detroit at 12:10 p. m. every week day. Leaving Detroit at 12:15 p. m., with first class sleeping car, running through to Boston, arriving there at 10:45 a. m. via Michigan Central, New York Central & Hudson River and Bos-

ton & Albany Railroads.

Train leaving here at 1.20 p. m. connects at Jackson with the celebrated vestibuled "North Shore Limited," the nandsomest and fastest train in the James Bartholomew, the old veter an Hoston, thus necessitating but one who use a made for entiring little change, arriving at Buffale at 3 o'clock,

Used in Millians of Hames-40 Years the Standard.

Syracuse 7.50, Albany 11.50 the following morning, New York 3.45, Boston 5.40 the following evening.

Train heretofore leaving here at 11.15 in the evening now leaves at 10.50 p.m. daily carrying a first class sleeper, arriving at Detroit 7.15 a. m. week days and 9.20 a. m. Sundays, arriving at Buffalo 5.05, Syracuse 10.20 the same aftenoon, Albany 2.40, New York 7 and Boston 10.45 the following morning.

Train leaving Grand Rapids at 5.40 p. m. week days connects closely with the New York limited vestibuled at Jack-New York imited verticuled at Jacsson, arriving at Detroit 10.45 p. m.,
Budalo 6.25 the following morning,
Syracuse 12.15, Albany 4.50, New York
8.50, Boston 10.05 the same afternoon.
FRED M. Buigos,
General Agent.



The CHATELAINE

Precious Stones

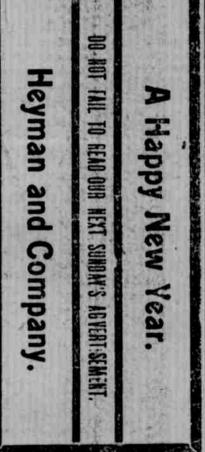
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BIRTHDAY HOLIDAY GIFTS

Sterling Silver Articles

for Christmas, 1891

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Repaired. Relining and Refiting a specialty. Gentlemen's Suits made to order. Ladies' garments of Wool, Cotton, Velvet. Plush Cleaned, Steamed, Pressed and made like new. All work done in a superior manner,

and satisfaction guaranteed. Call or address C. A. FREDRICKSON.

754 PEARL STREET.

RACES. A Grand Rapids, Mich., in 1891 and 1892, where there are two new mile tracks to work your horses on and also where Dr. Wells & Co's great veterinary specific is prepared and put up for chills, fevers, influenza, strangles, distempers, coughs, colds, congestion of lungs, bronchical difficulties, inflammation and sore throat.

tion and sore throat.
Also, Dr. Wells & Co's veterinary car-thartic capsules for horses, which will thartic capsules for horses, which will positively cure constipation, impaction, indigestion, swollen legs, surfeit, greece heels, blotches of skin, loss of appetite, rough cost, and is the most certain remody for the removal of worms known to the veterinary profession, in lingering cases of colic where the came must be removed, they have no equal. In fact all derangements of the digestive organs are cut short, and what would be fatal cases are made simple and harmless by giving one capsule in due time. If your horse is not doing, go to your druggist and get a capsule and give him. We guarantee a quick recovery. Prepared and put up by Dr. Wells & Co. Office and pharmsey cor. Bridge and Canal-ste, Grand Rapids, Mich. For sale by druggists.

CHILDREN ASK FOR Peckham's Croup Remedy

Monday,

Tuesday

and

Wednesday,

January 4, 5 and 6,

Will hold a Special PECK'S DRUG STORE Sale of Bedroom Suites.

Largest line in the city to select from, and every suite offered a genuine bargain.

> Don't forget the dates and the

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To physicians we sell and offer the best dis-counts, the following: Parke, Davis 2 Co.'s premarations, a full line: Joan Weeth A Broot's preparations, a full line: b. R. Sealites preparations, a full line: wm, s. Mercid Chemical Co.'s preparations, a full line: L'opd 3 S. od by Medicines; Albany Camined Co.'s goods; and partial lines of all enable preparations also

SURGICAL INSTRUMENTS! We carry \$5000 worth of

Appliances, pessaries, callisters, artificial eyes, 150 eyes to select from, rubber goods, too hags, hot water have, ice caps for head, no rose ice bags for the spino, slownach putniss, and a large variets of a serial goods succeived more rearries of a serial goods succeived when wanted. We are not afraid of dead stock, cell for what you want and do not assume that you could seried to Chicago, notify you have enquired for the artificle you require from ps.

NO FAVORITISM!

WE TREAT ALL ALIKE FRICES TO ONE THE SAME AS TO ANTOHER.

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Keys, Scale Repairing, Saw Filing and al Kinds of Job Work.

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COMPLET FOUTFIT, CHEMICAL PLATES, Etc. Beady to make picture—only \$2.00.

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For the Next Thirty Days I WILL OFFER



FULL DRESS SUITS made to order of Dressec or Undressed Worsteds, French Crapp and Broadcloths at \$30, \$33 and \$55. These are offered for this occasion only, as I have heard so many say, "I set"t attend this ball as I have no dress suit," or "My dress suit is not fit for wear and my tailor asks Soo or Sto a suit." Convince yourself by calling in and examining. I shall do the best by you.

My \$6.50 saie on Fancy Silk Vest and Worsted Pania shall be continued. It has proven a grand success. Competitors are not in it. Also my Son saie at \$20, \$22, \$23 and 25 in the latest shades; other TO OUR LADY PATRONS: I have received new novelties in Winter Cloths for Jackets and Top

Coats. I can save you 35 per cent in good work prices. I have remnants of Cloths suitable for Boys' Knee Pants that will be Sold very cheap. Call and be convinced of the above facts at DIDING DR. THE AMERICAN TAILOR. 21 South Division, Corner Island Street,

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